

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

4:15CR3091

vs.

ALLEN E. PEITHMAN, JR., SHARON A.
ELDER, CORNERSTONE PLAZA, INC.,
and AEP PROPERTIES, L.L.C.,
Defendants

FINAL ORDER OF FORFEITURE

This matter comes on before the Court upon the United States's Motion for Final Order of Forfeiture (Filing No. [448](#)). The Court reviews the record in this case and, being duly advised in the premises, finds as follows:

1. On March 28, 2017, a jury found the Defendants, Allen E. Peithman, Jr., Sharon A. Elder, Cornerstone Plaza, Inc., and AEP Properties, L.L.C. (Filing No. [262](#)) of the following counts in the Indictment: Count VIII charging the Defendants, Allen E. Peithman, Jr., Sharon A. Elder, and Cornerstone Plaza, Inc. with conspiracy to sell drug paraphernalia in violation of 21 U.S.C. § 846; Count IX charging the Defendants, Allen E. Peithman, Jr., Sharon A. Elder, and Cornerstone Plaza, Inc. with receiving income derived from the distribution of a controlled substance, in violation 21 U.S.C. §§ 841 and 846; Count XI charging the Defendants, Allen E. Peithman, Jr., Sharon A. Elder, and Cornerstone Plaza, Inc. with conspiracy to commit mail fraud, in violation of 18 U.S.C. §§ 371 and 1341; and Count XII charging all the Defendants with conspiracy to structure currency transactions with financial institutions, in violation of 18 U.S.C. §§ 371 and 31 U.S.C. §§ 5324(a)(1) and 5324(a)(3).

2. The jury returned its special verdict (Filing No. [285](#)) on March 29, 2017, forfeiting the Defendants' interests in the following-described items, pursuant to 18 U.S.C. §§ 981(a)(1)(C) and 982(a)(1), 21 U.S.C. §§ 853(a)(1) and (a)(2), 28 U.S.C. § 2461(c) and 31 U.S.C. § 5317(c), as either proceeds of such violations or property used or intended to be used to facilitate such violations:

- a. Union Bank & Trust business checking account ending in xxxx0947, in the name of Cornerstone Plaza, Inc. (The amount is \$11,440.89.);
- b. 3,687 pipes, dugouts, glass pipes, bongs, and water pipes;
- c. 45 containers of rolling papers/wraps;
- d. 572 packages of potpourri.

3. On April 5, 2017, this Court entered a Preliminary Order of Forfeiture (Filing No. [296](#)), forfeiting the Defendant's interests in the above-described properties, pursuant to the provisions of 18 U.S.C. §§ 981(a)(1)(C) and 982(a)(1), 21 U.S.C. §§ 853(a)(1) and (a)(2), 28 U.S.C. § 2461(c) and 31 U.S.C. § 5317(c) based upon the Defendants' convictions. By way of said Preliminary Order of Forfeiture, the Defendants' interests in the above-described properties were forfeited to the United States.

4. Notice of Criminal Forfeiture was posted on an official internet government forfeiture site, www.forfeiture.gov, for at least thirty consecutive days, beginning on April 14, 2017, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions. A Declaration of Publication (Filing No. [376](#)) was filed herein on June 16, 2017.

5. The Court has been advised by the United States no Petitions have been filed. From a review of the Court file, the Court finds no Petitions have been filed.

6. The Plaintiff's Motion for Final Order of Forfeiture should be sustained.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

A. The Plaintiff's Motion for Final Order of Forfeiture (Filing No. [448](#)) is hereby sustained.

B. All right, title and interest in the following properties held by any person or entity are hereby forever barred and foreclosed:

- a. Union Bank & Trust business checking account ending in xxxx0947, in the name of Cornerstone Plaza, Inc.; (The amount is \$11,440.89).
- b. 3,687 pipes, dugouts, glass pipes, bongs, and water pipes;
- c. 45 containers of rolling papers/wraps;
- d. 572 packages of potpourri.

C. The aforementioned properties be, and the same hereby are, forfeited to the United States of America.

D. The United States is directed to dispose of said properties in accordance with law.

DATED this 10th day of August, 2017.

BY THE COURT:

s/ *Richard G. Kopf*
RICHARD G. KOPF,
Senior United States District Judge